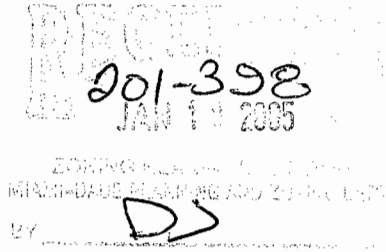


CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS  
W. CHAD WILLIARD  
JEFFREY M. FLANAGAN



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TELEPHONE 305.444.1500  
FACSIMILE 305.443.8617  
E-MAIL: INFO@CWFP.A.COM  
SENDER'S E-MAIL: CHADW@CWFP.A.COM

January 10, 2005

**VIA HAND DELIVERY**

Diane O'Quinn Williams, Director  
Miami-Dade County  
Department of Planning and Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128

**RE: Acropolis Realty, LLC  
Public Hearing No. 01-398**

Dear Ms. O'Quinn Williams:

Enclosed please find a traffic study (the "Study") submitted by Acropolis Realty, LLC in connection with the above referenced public hearing application, which is scheduled to be heard by CZAB #12 on Tuesday, January 25, 2005.

In accordance with the requirements of §33-311(D) of the Code of Miami-Dade County, please be advised that the Study shall be relied upon in the expert testimony which may be provided at the above-mentioned, CZAB #12 hearing.

If you have any questions or comments, please do not hesitate to contact me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.

Chad Williard, Esq.

encl.

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

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December 8, 2004

**VIA HAND DELIVERY**

Ms. Donna Jacoby  
Miami-Dade County  
Department of Planning and Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128-1972

**Re: Acropolis Realty, LLC – Public Hearing No. 01-398**

Dear Donna:

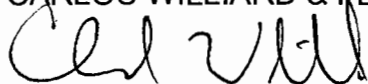
Enclosed please find a revised set of site plans now being submitted in connection with the above referenced zoning application (the "Application"). Specifically, this revised site plan reduces the overall square footage and height of the two (2) buildings proposed for the re-development of the subject property; otherwise, the Application and all of its previous requests remain the same. Therefore the Applicant believes this plan to be within the scope of the previous advertisement.

As I informed Diane O'Quinn Williams during our meeting on Monday, December 6, 2004, it is imperative that the revised site plan be processed and the Application (which was vacated by the Miami Dade County Board of County Commissioners and remanded back to CZAB #12) be scheduled on the CZAB #12, January 25, 2005 agenda.

Therefore, any assistance you can provide in expediting the processing of this site plan would be greatly appreciated. On a related note, enclosed herewith you will also find checks made payable to the Department of Planning and Zoning as payment for the requisite, readvertising and site plan review fees. If you should need anything else in order to facilitate this request, please do not hesitate to contact Donn Kettles or me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.



Chad Williard, Esq.  
enc.

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS  
W. CHAD WILLIARD  
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*Franklin for f'4*  
*BCC*  
*01-398*

October 4, 2004

**VIA FACSIMILE &  
U.S. MAIL**

Ms. Diane O'Quinn Williams, Director  
Miami-Dade County  
Department of Planning and Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128

**RE: Acropolis Realty, LLC –  
Public Hearing No. 01-398**

Dear Ms. O'Quinn Williams:

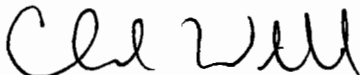
I am writing on behalf of Acropolis Realty, LLC ("Acropolis"), in connection with the appeal of the above referenced Application currently scheduled to be heard by the Miami-Dade County Board of County Commissioners (the "Commission") on October 7, 2004. Please be advised that it is the intention of Acropolis to request that the Commission relinquish jurisdiction of the appeal and remand the Application back to Community Zoning Board Appeals Board No. 12 ("CZAB#12"), with leave to amend and re-advertise.

Acropolis has been working with area homeowners and property owners to prepare an amended site plan to address their concerns. As such, Acropolis shall request the aforementioned remand to CZAB#12 in order to present the amended plan for its review and approval.

If you should have any questions or comments, please do not hesitate to contact me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.

  
Chad Williard, Esq.

To:

Lynne Talleda and  
Donna Jacoby:

Re: Acropolis  
Zoning hearing application #01-398

I have reviewed the code section 33-284.36 relating to setback requirements in the OPD District.

The requirement of a 30 foot setback from "residential zoning districts in which only single family, duplex or townhouse uses are permitted" was clearly to serve as a protection for residences from the impacts of a large (code requires a minimum of 3 acres) office development.

In this particular case, Baptist Hospital has approval for the property located immediately west and immediately north of the property which is the subject of this hearing. Although the "Baptist" property is zoned RU-1, numerous zoning hearings have authorized the initial use and continued expansion of those properties for hospital use. The hospital use would be a long term use on these properties and therefore the zoning is not a zoning district in which only single family, duplex or townhouse uses are permitted.

Considering the above, it is my opinion that 30 foot setbacks are not required from the north and west property lines of the subject site.

Diane O'Quinn Williams

*Diane*  
*1/14/03*

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS  
W. CHAD WILLIARD  
JEFFREY M. FLANAGAN

RECEIVED  
001-398  
OCT 6 / 2003

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY SS

SUITE 1000  
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INFO@CWFPFA.COM  
SENDER'S E-MAIL: CHADW@CWFPFA.COM

October 6, 2003

VIA HAND DELIVERY

Ms. Donna Jacoby  
Miami-Dade County  
Department of Planning and Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128-1972

**Re: Acropolis Realty, LLC – Miami-Dade County Public Hearing No. 01-398  
(the “Application”)**

Dear Donna:

Enclosed please find the latest set of site plans being submitted in connection with the above-referenced Application. As I indicated during our conversation last week, this version of the site plan is being submitted as a result of a meeting I had with Raul Pino and Leo Rodriguez of the Public Works Department. Specifically, while the Public Works Department did not request any design changes which would modify the plan in any way, it was requested that additional details with respect to certain dimensions, roadways widths, etc., be provided on the plan. Therefore, the ONLY difference between this site plan and the previously submitted plan is this additional information (as such, no additional site plan review fee has been included, since no actual review is required).

Also, please be advised that I will provide Leo Rodriguez of the Public Works Department with a separate copy of this site plan in an effort to expedite the review of this final plan such that the Application will stay on track to be heard by Community Zoning Appeals Board No. 12 on November 18, 2003. As I have indicated previously, given the significant amount of time the Applicant has waited to get the Application scheduled for hearing, it is extremely important that the Application be scheduled in November.

If you should have any questions or need anything further in order to expedite the dissemination of this last site plan to the various departments; or if you should need any other assistance from the Applicant in

Ms. Donna Jacoby

October 6, 2003

Page 2 of 2

order to keep the Application on track for the aforementioned November hearing date, please do not hesitate to contact me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.

A handwritten signature in black ink, appearing to read 'Chad Williard', written over the printed name.

Chad Williard, Esq.

cc: Leo Rodriguez (via hand delivery, w/enclosures)

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS  
W. CHAD WILLIARD  
JEFFREY M. FLANAGAN

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March 11, 2002

**Via Facsimile 305-372-6096 &  
Via U.S. Mail**

Ms. Donna Jacoby  
Miami-Dade County  
Department of Planning and Zoning  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128-1972

**Re: Acropolis Realty – Public Hearing No. 01-398**

Dear Donna:

I am in receipt of your letter dated March 5, 2002 regarding the status of the above-referenced Public Hearing Application. This will confirm that, for the reasons set forth herein, the Applicant, Acropolis Realty, wishes to go forward with the Application; and, therefore, please do not withdraw/return the Application.

As I indicated in an email status report to you back in January, the processing of the Application was on hold until certain issues regarding the closure of public rights of way (via a separate Road Closure Petition process) could be resolved. At that time, we hoped to resolve those issues and be in a position to go forward with the Application; however, due to unforeseen delays and the preparation of the road closure application, the Applicant had to delay making site plan revisions and submitting same to your section.

Nonetheless, this will confirm that the Road Closure Petition will be filed with Miami-Dade County during the first week of next month (April 2002), at which time the revised site plan will be submitted to you and the Applicant will then go forward with the processing of the Application.

Therefore, your continued patience is requested. Should you have any questions or any further information please do not hesitate to contact me.

Yours truly,

CARLOS WILLIARD & FLANAGAN, P.A.

*Chad Williard*

Chad Williard

*4/3*

cc: Jose Milan (via facsimile)  
Mike Sardiñas (via facsimile)

RECEIVED  
01-398  
MAR 13 2001

ZONING HEARING SECTION  
MIAMI-DADE COUNTY PLANNING AND ZONING DEPT  
BY *[Signature]*

CARLOS WILLIARD & FLANAGAN, P.A.

ATTORNEYS AT LAW

THOMAS P. CARLOS  
W. CHAD WILLIARD  
JEFFREY M. FLANAGAN

November 7, 2001

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**Via Hand Delivery**

Ms. Diane O'Quinn Williams, Director  
Miami-Dade County  
Department of Planning and Zoning  
111 N.W. 1<sup>st</sup> Street, 11<sup>th</sup> Floor  
Miami, FL 33128

**Re: Letter of Intent for Acropolis Realty, LLC -  
8960, 8966 & 8970 SW 87<sup>TH</sup> Court, Miami, Florida**

Dear Ms. O'Quinn Williams:

On behalf of Acropolis Realty, LLC (the "Applicant"), owner of a (+/-) 2.86 acre parcel located at the southwest corner of SW 87<sup>th</sup> Court and SW 89<sup>th</sup> Terrace (street address is 8960, 8966 and 8970 SW 87<sup>th</sup> Court), Miami-Dade County, Florida (the "Property"), this shall constitute the Letter of Intent submitted in connection with the above referenced public hearing application (the "Application"). Specifically, the Applicant requests the approval of certain non-use variances in connection with the redevelopment of an existing office park located on the Property. For the reasons set forth below, your favorable consideration of the Application is respectfully requested.

The Property is currently zoned RU-5A (Semi-Professional Office District) and BU-1 (Neighborhood Business District) and is developed with three (3), two-story multi-tenant professional office buildings which were built in 1965. These office buildings have never been remodeled or redeveloped in any significant way during their 36-year existence. As a result, the office park has taken on an outdated and deteriorating look. The Applicant purchased the Property in January 2001 with plans to expend substantial amounts of time and money to raze the aging office buildings and replace them with three new buildings of an architectural style which will modernize and revitalize the Property.

The feasibility of this project for the Applicant depends on the approval of a non-use variance of zoning regulations with respect to the buildings' proposed height (5 stories proposed where 2 stories are permitted). However, two (2) of the proposed five (5) floors will be parking structures, which satisfies the Code's parking requirements and alleviate the site's current parking shortage.

Another facet of this redevelopment project which will result in an enhancement to the overall site is the Applicant's inclusion within its site plan of one-half of the rights of way of SW 89<sup>th</sup> Terrace and SW 88<sup>th</sup> Avenue, which border the Property to the north and west, respectively. Currently, only visitors to the Property use these roads. As such, the Public Works Department tentatively has indicated that it would support petitions for



Page 2 of 2  
November 7, 2001  
Ms. Diane O'Quinn Williams

the closing of these roads once the site plan submitted in connection with the Application is approved. Moreover, there is precedent for street closures in this particular section of Miami-Dade County (Resolution No. R-1124-68, granting petition to close a portion of SW 88<sup>th</sup> Avenue; Resolution No. R-781-68, granting petition to close portions of SW 88<sup>th</sup> Avenue). The benefit of these closures is that the Applicant will be able to incorporate this land into the Property, thereby replacing asphalt traffic lanes with additional landscaping and open space, etc..

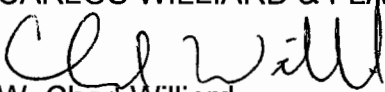
In addition to the benefits which will be realized vis-à-vis the architectural and aesthetic enhancements the Property redevelopment will provide, the project will be undertaken in such a way as to create significantly less impacts to the surrounding area during the actual demolition and construction: the redevelopment will be done in phases. Specifically, the Applicant will first demolish and rebuild Building "A", before moving to Building "B" and, finally, Building "C". As a result, the magnitude of the construction project will never be more than that associated with one building as opposed to three buildings – thus providing a pro rata reduction in the noise, dust, construction traffic, etc. as would typically be experienced in a project of this size.

With respect to the proposed redevelopment's compatibility with the surrounding area, the Property's northern and western boundaries abut the Baptist Hospital Campus – which contains structures much taller than the 5-story buildings proposed in the Application; while its eastern and southern boundaries abut similar, professional office buildings. Additionally, the Property is designated "Office/Residential" on the Miami-Dade County Comprehensive Development Master Plan ("CDMP") Land Use Plan Map. As such, the proposed use of the Property is consistent with the CDMP.

As a review of the site plan illustrates, the Applicant proposes a well designed, aesthetically pleasing project with ample landscaping which, if approved, will allow this 36-year old office park to undergo a much needed, complete upgrade to bring it into the 21<sup>st</sup> Century. Accordingly, for all the reasons set forth herein, the Applicant respectfully urges you to recommend approval of the Application.

Thank you for your consideration.

Yours truly,  
CARLOS WILLIARD & FLANAGAN, P.A.

  
W. Chad Williard

/blc